

VZCZCXRO4472  
RR RUEHLMC  
DE RUEHTG #0101/01 0481432  
ZNY CCCCC ZZH  
R 171432Z FEB 09  
FM AMEMBASSY TEGUCIGALPA  
TO RUEHC/SECSTATE WASHDC 9246  
INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE  
RUMIAAA/CDR USSOUTHCOM MIAMI FL  
RUMIAAA/CDR USSOUTHCOM MIAMI FL//CINC/POLAD//  
RUEAHND/CDRJTFB SOTO CANO HO  
RUEAIIA/CIA WASHDC  
RUEAHND/COMJTF-B SOTO CANO HO  
RUEATRS/DEPT OF TREASURY WASHDC  
RUEAWJA/DEPT OF JUSTICE WASHDC  
RHEFDIA/DIA WASHINGTON DC  
RHMFISS/DIRJIATF SOUTH  
RUMIAAA/HQ USSOUTHCOM J5 MIAMI FL  
RUEKJCS/JOINT STAFF WASHDC  
RUEHLMC/MILLENNIUM CHALLENGE CORP WASHINGTON DC 0897  
RHEHNSC/NSC WASHDC  
RUEKJCS/SECDEF WASHDC  
RUMIAAA/USSOUTHCOM MIAMI FL

C O N F I D E N T I A L SECTION 01 OF 02 TEGUCIGALPA 000101

SIPDIS

E.O. 12958: DECL: 02/12/2019

TAGS: [KJUS](#) [PGOVE](#) [KCRM](#) [EFIN](#) [EAID](#) [EINV](#) [HO](#)

SUBJECT: AMBASSADOR'S COURTESY CALL ON NEWLY ELECTED CHIEF  
JUSTICE JORGE RIVERA AVILES

Classified By: AMBASSADOR HUGO LLORENS, REASON 1.4 (B & D)

11. (C) Summary: Ambassador called on newly-elected Supreme Court Chief Justice Jorge Rivera Aviles on February 11. Rivera discussed his priority goals of reducing case backlogs and increasing the efficiency of oral case procedures. The Ambassador and Rivera agreed that organized crime and drug trafficking were special threats to both countries and that we should work together through the bilateral Merida Initiative task force against these scourges. Rivera noted that protecting international investors and supporting the rule of law was important to the future of Honduras and to him personally, and the Ambassador asked him to establish a mechanism to bring specific cases to his attention. The Ambassador also brought up the existence of human rights cases, which could also be considered through this mechanism. Rivera agreed to host a meeting with the entire Supreme Court with a group of senior embassy officials to discuss issues of mutual concern. End Summary.

#### Rivera's Internal Goals

-----

12. (C) Ambassador called on newly-elected Supreme Court Chief Justice Jorge Rivera Aviles on February 11. The Ambassador congratulated Rivera on his election and stressed that the USG has always had good relations with the Court and that we looked forward to working with him. The Ambassador said the previous court had done a good job, but that there was a general recognition that the current Court was less political and more independent. Obviously, civil society had been intimately involved in the selection process of the new magistrates and now had high expectations and would demand accountability from the new court. Rivera, a member of the Liberal Party, was very complimentary of the work of out-going National Party Chief Justice Vilma Morales, and said he would continue with many of her initiatives. He noted that before Morales, there was a backlog of 90 percent of the cases, but Morales had managed to reduce it to 40 percent. Rivera said his goal was to reach 30 percent. Rivera also informed us that oral cases were seldom tried correctly in most of Honduras, and one of his major goals was to implement a mechanism to properly try cases orally according to the established legal procedures. Rivera also recounted his experiences on the Proposing Committee for the

Attorney General (AG) and Assistant AG. He said the negotiations were difficult and long, but that the group had come to a consensus on the best five candidates of the 25 proposed.

#### Areas for Bilateral Cooperation

-----

13. (C) The Ambassador suggested that there were several areas in which the USG and the court could work together. He encouraged Rivera to designate a point of contact to participate in the bilateral Merida Initiative task force, and Rivera responded that Minister of Security Rodas Gamero had already informed him of the task force and invited him to participate. Rivera suggested that globalization has heightened the problems of organized crime and drug trafficking in Honduras, and said there were many judicial problems in these areas. The Ambassador agreed that both countries were threatened by these scourges and that only by working together could we diminish the danger. Rivera suggested that increased cooperation and intelligence-sharing would be key. The Ambassador noted the attention the USG was paying to the Mosquitia, outlining the educational and health programs that we are sponsoring in the region, and opined that this remote area had been ignored too long. Rivera agreed and said that he was sending a "National Judge" to Puerto Lempira to try the most important cases, in an attempt to diminish the influence of the locals on case outcomes. Rivera told us that there were six National Judge slots in existence, but only one of them was filled. He noted these positions were very important and that he would ensure all

TEGUCIGALP 00000101 002 OF 002

six were filled as soon as possible.

#### AmCit Land Disputes and Human Rights Cases

-----

14. (C) Rivera then brought up the idea that investment (domestic and foreign) was vital for Honduras' future and he believed it was important to protect investors and enforce the rule of law. The Ambassador agreed wholeheartedly and told Rivera that there were a substantial number of land disputes involving American citizens, including some that could be considered expropriations, moving through the Honduran judicial system very slowly, and undermining the image of a safe investment environment here. Similarly, the Ambassador said that many Honduran civil society groups, international NGOs, U.S. based organizations and members of the U.S. Congress have requested that the Embassy bring human rights cases to the attention of high-level Honduran officials. The Ambassador asked if we could establish a mechanism for bringing some of these cases to Rivera's attention, and he agreed enthusiastically. They also agreed to set up a meeting between the entire court and senior embassy officials to discuss issues of mutual concern.

#### Comment

-----

15. (C) Rivera is a straight-forward man, professing a deep desire to work towards improving the efficiency of the judiciary and rooting out corruption. Our first impression is that he will be a good partner. End Comment.

LLORENS